



40 Broad Street, 7th Floor
New York, NY 10004
Tel. (212) 943-9080
Fax (212) 943-9082

Adrianna R. Grancio
Associate
agrancio@vandallp.com

November 10, 2020

VIA ECF

Hon. Robert W. Lehrburger
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Trustees of the New York City District Council of Carpenters Pension Fund, et al. v. The DK Group, Inc., 19 CV 9202

Dear Judge Lehrburger:

This firm represents the Petitioners in the above captioned matter. We write to respectfully request an alternate date for the settlement conference currently scheduled for December 8, 2020 at 9:30 a.m. (*see* Dkt. 30) and an extension of the date for the parties to file motions for summary judgment, currently set for November 28, 2020.

Plaintiffs are the trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, the trustees of the New York City Carpenters Relief and Charity Fund, trustees of the Carpenter Contractor Alliance of Metropolitan New York, and the New York City District Council of Carpenters.

The Petitioners are scheduled to conduct arbitrations in other matters on December 8, 2020. Due to this conflict, a representative of the Petitioners will not be available to attend the settlement conference as required by your Honor's Settlement Conference and Mediation Procedures. Accordingly, Petitioners request a brief adjournment to the next available date.

Petitioners would also like to make the Court aware that because Petitioners are governed by a Board of Trustees, no single individual has the power to approve a settlement. Petitioners are ready, willing, and able to have a representative available to weigh in on settlement discussions, but ultimate settlement approval rests with the entire Board of Trustees which is required to vote on such a proposal. Respondent has consented to Petitioner's request for an alternate date.



In addition, both Petitioners and Respondent request that the due date for summary judgment motions be extended as well. Currently it is set at November 28, 2020. In light of the extension of discovery deadlines granted by this Court (see Dkts. 27-28), we respectfully request that it be extended to a date in February 2021.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/
Adrianna R. Grancio, Esq.
Attorneys for Petitioners

cc: Neil Cartusciello, Esq. (*via ECF*)

Settlement conference to be rescheduled. Summary judgment filing date extended to February 15, 2021.

SO ORDERED:

11/10/2020

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE